



State Capitol
Lansing, Michigan 48913
517/373-7888
1-888-937-4453
517/373-2983 (fax)
sengjacobs@senate.michigan.gov

GILDA Z. JACOBS
MICHIGAN SENATE
ASSISTANT DEMOCRATIC FLOOR LEADER
FOURTEENTH DISTRICT

Committees
Economic Development, Small
Business and Regulatory Reform VC
Families and Human Services VC
Government Operations
Health Policy

The Jacobs Report

FOR IMMEDIATE RELEASE
Friday, April 23, 2004

CONTACT: Matt Levin
(517) 373-7888

OBJECTION OVER CONTIENTIOUS OBJECTOR LEGISLATION

Doctors, health insurers, health facilities and other health care providers could not be held responsible for refusing to treat gay patients under a package of legislation passed Wednesday by the Michigan House.

The bills allow health care workers to refuse service to anyone on moral, ethical or religious grounds without fear of professional discipline or legal action. Treatments for birth control, fertility and sexual dysfunction will likely all face legally protected refusals if this legislation is signed into law.

The Republican dominated House passed the measure as dozens of Catholics observed from the gallery. The Michigan Catholic Conference, the lobby organization responsible for pushing the bills, hosted a legislative day for Catholics on Wednesday at the state Capitol.

The package now goes to the Senate, which also is controlled by Republicans.

The Conscientious Objector Policy Act would allow health care providers to assert their objection within 24 hours of when they receive notice of a patient, treatment or procedure with which they don't agree. However, it would prohibit emergency treatment from being refused.

Opponents are concerned that providers would be allowed to refuse service for any reason. For example, they said emergency medical technicians could refuse to answer a call from the residence of a gay couple because they don't approve of homosexuality.

Rep. Chris Kolb (D-Ann Arbor), the first openly gay legislator in Michigan, pointed out that while the legislation prohibits racial discrimination by health care providers, it doesn't ban discrimination based on a person's sexual orientation.

"Are you telling me that a health care provider can deny me medical treatment because of my sexual orientation? I hope not," he said.

"I think it's a terrible slippery slope upon which we embark," said Rep. Jack Minore (D-Flint) before voting against the bill.

"Individual and institutional health care providers can and should maintain their mission and their services without compromising faith-based teaching," Paul A. Long, vice president for public policy for the Michigan Catholic Conference said in a written statement.

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A member of the hospital association described the bills as an “administrative disaster. Employees who don’t do their jobs properly will be able to fall back on this to avoid proper disciplinary action.”

LEGISLATION TO PROTECT MICHIGAN JOBS BECOMES LAW

This week, Governor Jennifer M. Granholm signed legislation designed to keep Federal-Mogul Corporation viable in Michigan. The Southfield-based company, which has plants in a number of Michigan cities, will receive a tax break if it maintains employment at certain levels in factories and other statewide locations.

“I’m very pleased to have been involved in this legislation,” said Senator Gilda Z. Jacobs (D-Huntington Woods), who represents Southfield. “These are Michigan jobs. Whether they are located in one location or spread across the state has no bearing on their importance. We had a chance to protect Michigan workers, so we did.”

The law makes Federal-Mogul eligible for tax credits that were previously limited to companies that promised to retain 500 jobs at one plant. Federal-Mogul, an auto-parts supplier, has a combined 780 workers, but they are spread between two plants: one in Greenville and the other in St. Johns. The company has said it needs to cut costs at both factories to keep them open.

The change to the Michigan Economic Growth Authority Act will allow Federal-Mogul, and other companies in similar circumstances, to receive credits even if the new or retained jobs are spread between plants at different sites.

“The Governor asked for greater flexibility in dealing with companies struggling to stay in Michigan and the legislature responded quickly,” said Senate Democratic Floor Leader Mark Schauer (D-Battle Creek). “Hopefully, this change will benefit communities across Michigan who are home to companies wanting to expand.”

Jacobs and Schauer participated in the bill-signing ceremony with the Governor Wednesday morning. Photos of the event can be downloaded at <http://senate.michigan.gov/demcaucus/pr042104.htm>.

SENATE PASSES WAYNE COUNTY MENTAL HEALTH BILLS

Legislation that would require mental health services in Wayne County to be the responsibility of an independent authority narrowly won passage in the Senate on Thursday.

SB 591, SB 1076 and SB 1079 all were approved on 22-15 votes. Two Republicans - Sens. Bruce Patterson of Canton and Laura Toy of Livonia, both from Wayne County - voted against the bills, while two Democrats - Sens. Gilda Jacobs of Huntington Woods and Michael Switalski of Roseville - voted for the bills.

Senate Majority Floor Leader Bev Hammerstrom (R-Temperance) said the change in the structure of the Detroit-Wayne County Community Mental Health Agency was needed to ensure both that the county not lose more than \$500 million in federal Medicaid payments and the entire state not lose its waiver from federal mental health requirements.

Most states have to bid their local mental health systems out to private companies because of federal requirements, Ms. Hammerstrom said, and legislators in those states have said their systems are a mess. Michigan won a waiver from the federal government that allowed counties to set up authorities to handle

community mental health needs, but Ms. Hammerstrom said if the Wayne County system is found in violation it could lose that waiver.

There have been disputes between the members of the equally divided Detroit and Wayne County mental health board. Wayne County Executive Robert Ficano has said the new authority is not needed as he is making efforts to resolve the differences in the board.

“This was not an easy vote, but I’m confident that we did right by the people,” said Sen. Jacobs. “This is a step in providing better, more efficient services to consumers in the Wayne County mental health system.”

Ms. Hammerstrom said she was not wedded to the authority concept, if another workable structure was presented.

Mr. Patterson spoke in favor of the county, saying that Mr. Ficano deserves more time to resolve issues on the board.

Sen. Shirley Johnson (R-Royal Oak), the other major sponsor of the legislation, said, “The hell with county government. People need services.”

State Senator Gilda Jacobs represents the 14th Senate District, which includes Beverly Hills, Bingham Farms, Farmington, Farmington Hills, Ferndale, Franklin, Hazel Park, Huntington Woods, Lathrup Village, Oak Park, Pleasant Ridge, Royal Oak Township, Southfield, and Southfield Township. She is the Minority Vice Chair of the Families & Human Services Committee and the Economic Development, Small Business & Regulatory Reform Committee. She also serves on the Government Operations and Health Policy Committees.

Constituents of the 14th District may contact Senator Jacobs at sengjacobs@senate.michigan.gov or toll-free at 1-888-937-4453.

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